IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.

PELVIC REPAIR SYSTEM

PRODUCTS LIABILITY LITIGATION

MDL NO. 2326

THIS DOCUMENT RELATES TO CASES IDENTIFIED ON EXHIBIT A

MEMORANDUM OPINION AND ORDER

On June 24, 2020, I entered an order directing plaintiffs on Exhibit A to show cause in their

individual cases on or before July 24, 2020, why their individual cases should not be dismissed as

to defendants Boston Scientific Corporation, C.R. Bard, Inc., Ethicon, Inc., Ethicon, LLC and/or

Johnson & Johnson pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1

of the Local Rules of Civil Procedure. The Order was sent to the plaintiffs on Exhibit A at their

last known address and posted on the court's website.

Plaintiffs have failed to respond to the Show Cause Order. Pursuant to Rule 41(b) of the

Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after

weighing the factors identified in Ballard v. Carlson, 882 F.2d 93, 95 (4th Cir. 1989), the court

finds that the plaintiffs on Exhibit A have failed to prosecute their cases. The court **ORDERS** that

the remaining served and unserved defendants named in each case, Boston Scientific Corporation,

C.R. Bard, Inc., Ethicon, Inc., Ethicon, LLC and/or Johnson & Johnson, are dismissed without

prejudice. There are no remaining defendants in these cases on Exhibit A and therefor, the court

further **ORDERS** that the cases on Exhibit A are **DISMISSED** and **STRICKEN** from the court's

active docket. All pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and each plaintiff on Exhibit A at her address.

ENTER: July 27, 2020

ØSEPH R. GOODWIN

UNITED STATES DISTRICT JUDGE

	Case Name	Case Number
1	Janet G. Shoulders v. Boston Scientific Corp., et al.	2:14-cv-07783
2	Nina Smith, et al. v. Boston Scientific Corp., et al.	2:13-cv-19778